


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 1727-1729 Eastern Avenue		

TO

Mr. David Tanner, Executive Director
Board of Municipal and Zoning Appeals
417 East Fayette Street, 14th Floor

DATE: October 31, 2012

REQUEST

The Department of Planning has received John Chalk's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Howard Chen et al., to use the second floor of the premises as two dwelling units. We understand that this appeal was scheduled for hearing on October 30, 2012, but, because adverse weather conditions prevented that meeting of the Board, is now rescheduled for November 13, 2012.

SITE

1727-1729 Eastern Avenue is located on the south side of the street, approximately 74' east of the intersection with Regester Street. This property measures approximately 36'7" by 67'9" and is currently improved with a two-story semi-detached commercial building covering the entire lot. This site is zoned B-2-2 and is located within the Fells Point Historic District.

ANALYSIS

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, R-6, and R-8 Districts, the Board may authorize, as a conditional use, the conversion of a building for use by more than one family, as long as the number of families permitted conforms with the applicable bulk regulations for the district in which the building is located (§3-305.b.1).

Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§6-311.c). In this case, for two dwelling units, 2,200 square feet of lot area is required. The lot encloses approximately 2,460 square feet, and so does meet this requirement.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). In this zoning district, multiple-family dwellings require one off-street parking space per 2 dwelling units (§10-405.1.iv). For two dwelling units, one parking space is required; none are or can be provided.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case the reduction proposed is 75%, which is within the variable amount the Board may authorize.

Historic District: The subject property is located within the Fells Point District, a locally and nationally designated Baltimore City historic district. All exterior changes, including

additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). As this project has already been reviewed and approved by CHAP, the applicant should remain in contact with CHAP staff through completion of work on the premises.

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to the condition that the applicant perform and complete all work in accordance with the Notice To Proceed from CHAP.

TJS/wya/mf

cc: John Chalk, Appellant